

DRM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
(REV. 7-2005)

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

903-190 PCT/US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/583,010

INTERNATIONAL APPLICATION NO.
PCT/NL2003/000928

INTERNATIONAL FILING DATE
18 December 2003

PRIORITY DATE CLAIMED
18 December 2003

TITLE OF INVENTION

CATALYSTS FOR ALKANE OR ALKENE OXIDATION AND AMMOXIDATION

APPLICANT(S) FOR DO/EO/US

A. Sijpkens, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV881317985US

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | | | | | | | | | | | | |
|--|---|--|--|------|--------------|---------|---|------------|--------------------|--------|---|------------|----|--------|
| U.S. APPLICATION NO (if known, see 37 CFR 1.5) 10/583,010 | INTERNATIONAL APPLICATION NO. PCT/NL2003/000928 | ATTORNEY'S DOCKET NUMBER 903-190 PCT/US | | | | | | | | | | | | |
| 23. Other items or information: Itemized Return Postcard | | | | | | | | | | | | | | |
| The following fees have been submitted: | | CALCULATIONS PTO USE | | | | | | | | | | | | |
| 24. <input type="checkbox"/> Basic national fee \$300 | \$ | \$0.00 | | | | | | | | | | | | |
| 25. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article \$0 All other situations. \$200 | \$ | \$0.00 | | | | | | | | | | | | |
| 26. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority. \$100 International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. \$400 All other situations. \$500 | \$ | \$0.00 | | | | | | | | | | | | |
| TOTAL OF 24, 25 and 26 = | | \$ 0.00 | | | | | | | | | | | | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(i)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Total Sheets</td> <td style="width: 20%;">Extra Sheets</td> <td style="width: 40%;">Number of each additional 50 or fraction thereof (round up to a whole)</td> <td style="width: 20%;">RATE</td> </tr> <tr> <td style="text-align: center;">- 100 =</td> <td style="text-align: center;">0 /50 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x \$250.00</td> </tr> </table> | Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole) | RATE | - 100 = | 0 /50 = | 0 | x \$250.00 | \$ | \$0.00 | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole) | RATE | | | | | | | | | | | |
| - 100 = | 0 /50 = | 0 | x \$250.00 | | | | | | | | | | | |
| Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)). | | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">CLAIMS</td> <td style="width: 20%;">NUMBER FILED</td> <td style="width: 20%;">NUMBER EXTRA</td> <td style="width: 20%;">RATE</td> </tr> <tr> <td>Total claims</td> <td style="text-align: center;">- 20 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x \$50.00</td> </tr> <tr> <td>Independent claims</td> <td style="text-align: center;">- 3 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x \$200.00</td> </tr> </table> | CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | Total claims | - 20 = | 0 | x \$50.00 | Independent claims | - 3 = | 0 | x \$200.00 | \$ | \$0.00 |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | | | | | | | | | | |
| Total claims | - 20 = | 0 | x \$50.00 | | | | | | | | | | | |
| Independent claims | - 3 = | 0 | x \$200.00 | | | | | | | | | | | |
| MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00 | | \$ 0.00 | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS = | | \$ 0.00 | | | | | | | | | | | | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. | | | | | | | | | | | | | | |
| SUBTOTAL = | | \$ 0.00 | | | | | | | | | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). | | | | | | | | | | | | | | |
| TOTAL NATIONAL FEE = | | \$ 0.00 | | | | | | | | | | | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property + | | | | | | | | | | | | | | |
| TOTAL FEES ENCLOSED = | | \$ 0.00 | | | | | | | | | | | | |
| | | Amount to be \$ | | | | | | | | | | | | |
| | | Amount to be \$ | | | | | | | | | | | | |

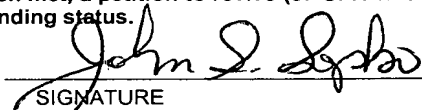
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-2461. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Salvatore J. Abbruzzese
Hoffmann & Baron, LLP
6900 Jericho Turnpike
Syosset, NY 11791


SIGNATURE

John S. Sopko

NAME

41,321

REGISTRATION NUMBER

21 August 2006

DATE

(973) 331-1700

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): A. Sijpkens, et al.

Docket No.

903-190 PCT/US

Application No.

10/583,010

Filing Date

June 15, 2006

Examiner

Unassigned

Customer No.

23869

Group Art Unit

Unassigned

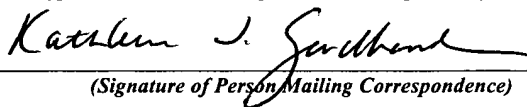
Invention: CATALYSTS FOR ALKANE OR ALKENE OXIDATION AND AMMOXIDATION

I hereby certify that the following correspondence:

Transmittal Letter to the US Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 USC 371;
Information Disclosure Statement and Form PTO-1449 w/References, and Itemized Return Postcard

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

21 August 2006*(Date)*Kathleen J. Goodhand*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)*EV881317985US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|------------------|--|-----------------|-----------------|
| Applicant(s): | A. Sijpkens, et al. | Examiner: | Unassigned |
| Application No.: | 10/583,010 | Group Art Unit: | Unassigned |
| Confirmation No: | Unassigned | Docket: | 903-190 PCT/US |
| Filed: | June 15, 2005 | Dated: | August 21, 2006 |
| For: | CATALYSTS FOR ALKANE OR ALKENE OXIDATION AND AMMOXIDATION | | |

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Date: August 21, 2006 Label No.: EV881317985US

I hereby certify that on the date indicated above, I deposited this paper or fee with the United States Postal Service and that it was addressed for delivery to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 by "EXPRESS MAIL, Post Office too Addressee" service.

Signed: K.J. Goodhand/



INFORMATION DISCLOSURE STATEMENT

Sir:

In order to fulfill the requirements of candor and good faith set forth in 37 C.F.R. §1.56, Applicants submit herewith the following Information Disclosure Statement in accordance with the provisions of 37 C.F.R. §1.97 and §1.98.

Attached hereto is Form PTO-1449 listing references which may be considered material in evaluating the patentability of the claims of the above-identified application. Pursuant to the PTO's waiver under 37 C.F.R. §1.98(a)(2)(ii), no copies of the granted U.S. patent and/or the published U.S. patent application references are being submitted herewith.

Applicants: A. Sijpkes, et al.
Application No: 10/583,010
Filed: June 15, 2006
Page 2

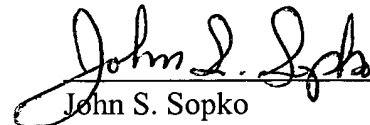
This Statement is also being filed within three months of filing the subject application pursuant to 37 C.F.R. §1.97(b)(2).

US 2005/0054880 A1 is believed to be an English equivalent of WO 03/045886 A2. US 2003/0088124 A1 is believed to be an English equivalent of EP 1238960 A1.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R § 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

If the Examiner has any questions or comments relating to the present application, he or she is respectfully invited to contact Applicants' attorney at the telephone number set forth below.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "John S. Sopko", is written over a horizontal line.

John S. Sopko
Registration No.: 41,321
Attorney for Applicants

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
(973) 331-1700

| | | |
|---|------------------------------------|--------------------------------|
| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Rev. 2-32) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) | ATTY. DOCKET NO. 903-190 PCT/US | APPLICATION NO. 10/583,010 |
| | APPLICANT A. Sijpkens, et al. | CONFIRMATION NO. Unassigned |
| | FILING DATE June 15, 2006 | GROUP Unassigned |

U.S. PATENT APPLICATION PUBLICATIONS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
|---------------------|--|-----------------------|---------|---------------|-------|--------------|-------------------------------|
| | | US 2003/ 0088124A1 | 5/8/03 | Dubois | | | |
| | | US 2005/ 0054880A1 | 3/10/05 | Dubois et al. | | | |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
|---------------------|--|--------------------|---------|-----------------|-------|--------------|-------------------------------|
| | | 1,914,557 | 6/20/33 | Craver | | | |
| | | 5,380,933 | 1/10/95 | Ushikubo et al. | | | |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRANSLATION | |
|---------------------|--|--------------------|---------|---------|-------|--------------|-------------|----|
| | | | | | | | YES | NO |
| | | WO 03/045886 | 6/5/031 | PCT | | | | |
| | | EP 0 962 253 A2 | 12/8/99 | EPO | | | | |
| | | EP 1 238 960 A1 | 9/11/02 | EPO | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | | |
|--|--|--|---|
| | | | |
| | | | L. Boot, et al.; "Iron-Based Dehydrogenation Catalysts Supported on Zirconia", Journal of Catalysts 163, 196-194 (1996) |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication with applicant.

| | | |
|---|------------------------------------|--------------------------------|
| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Rev. 2-32) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) | ATTY. DOCKET NO. 903-190 PCT/US | APPLICATION NO. 10/583,010 |
| | APPLICANT A. Sijpkens, et al. | CONFIRMATION NO. Unassigned |
| | FILING DATE June 15, 2006 | GROUP Unassigned |

| | | | |
|--|--|--|--|
| | | | W. Kuang, et al., "Preparation, Characterization, and Catalytic Properties of Ultrafine Mixed Fe-Mo Oxide Particles", Journal of Colloid and Interface Science 215, 364-369 (1999) |
|--|--|--|--|

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication with applicant.